

# EXHIBIT

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U.S. Department of Justice

United States Attorney  
Western District of New York

620 Federal Building

(585) 263-6760

100 State Street

FAX(585) 263-6226

Rochester, New York 14614

August 18, 2006

James P. Vacca, Esq.  
One East Main Street  
Rochester, New York 14614

Re: Supplemental Notice of 404(b) Evidence of Other  
Crimes to be Offered Against John Montana

Dear Mr. Vacca:

The government also intends to offer into evidence through its case in chief documents related to the investment of Joan Stott with P. K. Trust. One required document indicates that defendant Montana and others had solicited Mrs. Stott for an earlier investment scheme. Mrs. Stott was required to send a cease and desist letter to defendant Montana thereby withdrawing her participation in defendant Montana's investment. This may arguably be viewed as additional 404(b) evidence against your client so I have enclosed a copy of the relevant document.

If you have any questions please contact me at 202-514-0660.

Sincerely,

for William H. Bowne, III  
Trial Attorney, Fraud Section

WHB/ams

pc: Richard Resnick, AUSA

Joan J. Stott  
PO Box 31323  
Palm Beach Gardens, Fla. 33420

Notice of Cease and Desist

February 19, 2000

From Joan J. Stott

To: Gary Hustead of American Capital Group; Kieth McGee;  
Jack Montana of Worldwide P & P (Alleged Mandate of Trust); & Judith Bancroft

Ref: One Million ( 1 ) USD

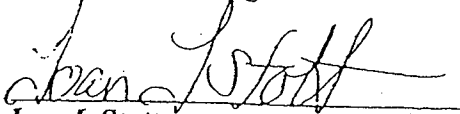
Dear Sirs:

WHEREAS, Gary Hustead of American Capital Group (Program Manger) was unfortunately unable to respond with the "Formal Application from the Mandate" within an acceptable amount of time following my submission of my Letter of Intent dated 1/25/2000 addressed to "Program Manager c/o American Capital Group";

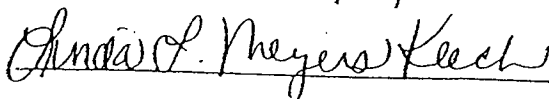
I, Joan J. Stott, with sincere regrets, issue this Cease and Desist and Cancellation of the above Transaction which shall be effective Saturday, 2/19/2000 EST USA. The above addressed parties are to discontinue any and all activity that may cause their banking establishments or other to confirm any type of communication with the above referenced transaction.

Further, any and all contracts, agreements, documents, documentation, banking coordinates and/or receipt of the same are to marked "Null and Void" and the copy of such is to be faxed back to me, Joan J. Stott via fax# (561) 691-3919.

Any confidential information furnished by myself to the parties mentioned above is considered legally privileged information and further use of such information by the parties mentioned above is strictly prohibited and will be considered a violation of both U.S. Federal and International laws, by individual or entity stated above, if such violation were to occur. Any attempt to use such privileged information by the above mentioned entities will be considered a criminal act and will be handled accordingly. This facsimile document is to be treated as an original.

  
Joan J. Stott

2/23/00



UTA 00542

